

REMARKS

Upon entry of the instant amendment, claims 1, 3-20 will remain pending in the present application.

In the instant amendment, claim 2 has been cancelled without prejudice or disclaimer of the subject matter contained therein. Claims 1, 14, 19 and 20 have been amended so as to put the present application in condition for allowance, as explained more specifically below. The instant amendment made herein to the claims does not incorporate new matter into the application as originally filed.

Accordingly, proper consideration of each of the pending claims is respectfully requested at present, as is entry of the present amendment.

Claim Rejections and Allowable Subject Matter

Claim Rejections

On page 2 of the outstanding Office Action, claims 14 and 19 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Further, claims 1, 3, 5-7, 10-14 and 18-19 have been rejected under 35 U.S.C. § 102 or § 103 as being anticipated by or obvious over the cited references.

Applicants traverse the rejections.

Allowable Subject Matter

On page 7 of the Office Action, the Examiner indicates that claims 2, 4, 8, 15-17 and 20 have been objected to as being dependant upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claim. (Incidentally, regarding claim 16, Applicants' representative telephoned and confirmed with the Examiner that independent claim 16 is allowable as is).

Claim Amendment to Put the Present Application in Condition for Allowance

In the current amendment to the claims, claim 1 has been amended by incorporating the limitation of allowable claim 2. (Claim 2 was cancelled). Thus, currently amended claim 1 should be allowed.

Consequently, claims 3-15 should also be allowed because these claims depend on the allowable independent claim (i.e., claim 1) either directly or indirectly.

Claim 18, which has all the limitations as recited in claim 1, has been rejected as being unpatentable over prior art in the Office Action. However, as explained above, since currently amended claim 1 is allowable, claim 18 should also be allowable upon entry of the amendment to claim 1.

Claim 14 has been rejected under 35 U.S.C. § 112, 2nd paragraph, as being indefinite because of insufficient antecedent basis (i.e., "the hydraulic loading area" (emphasis added)). The word "the" has been deleted from claim 14. Thus, the rejection has been overcome.

Claim 19 has also been rejected under 35 U.S.C. § 112, 2nd paragraph, as being indefinite because of insufficient antecedent basis (i.e., "said fish raising tank" (emphasis added)). Claim

19 has been amended to read “at least one aquaculture tank” to maintain consistency with claim 18, on which claim 19 depends. Thus, the rejection has been overcome. Incidentally, in accordance with claim 19, claim 20 has also been amended in the same manner.

As explained above, all the rejections and the objections have been overcome upon entry of the current amendment to the claims. Thus, Applicants respectfully request that the Examiner withdraw them.

CONCLUSION

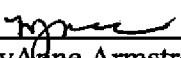
Based upon the amendments and remarks presented herein, the Examiner is respectfully requested to issue a Notice of Allowance clearly indicating that each of the pending claims is allowed.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Toyohiko Konno, Reg. No. L0053, at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§ 1.16 or 1.147; particularly, extension of time fees.

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Respectfully submitted,

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